

Nuclear Regulatory Commission

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that identify the actions to be taken and decisions to be made by each member of the security organization who is assigned duties and responsibilities required for the effective implementation of the security plans and the site protective strategy.

(ii) Licensees shall ensure that implementing procedures accurately reflect the information contained in the Responsibility Matrix required by this appendix, the security plans, and other site plans.

(iii) Implementing procedures need not be submitted to the Commission for approval but are subject to inspection.

C. RECORDS AND REVIEWS

1. Licensees shall review the safeguards contingency plan in accordance with the requirements of §73.55(m).

2. The safeguards contingency plan audit must include a review of applicable elements of the Physical Security Plan, Training and Qualification Plan, implementing procedures and practices, the site protective strategy, and response agreements made by local, State, and Federal law enforcement authorities.

3. Licensees shall retain all reports, records, or other documentation required by this appendix in accordance with the requirements of §73.55(q).

(Sec. 1611, Pub. L. 83-703, 68 Stat. 948, secs. 201, 204(b)(1), Pub L. 93-438, 88 Stat. 1243, 1245 (42 U.S.C. 2201, 5841, 5844))

[43 FR 11965, Mar. 23, 1978; 43 FR 14007, Apr. 4, 1978, as amended at 57 FR 33432, July 29, 1992; 64 FR 14818, Mar. 29, 1999; 72 FR 49562, Aug. 28, 2007; 74 FR 13991, Mar. 27, 2009; 77 FR 39910, July 6, 2012]

APPENDIX D TO PART 73—PHYSICAL PROTECTION OF IRRADIATED REACTOR FUEL IN TRANSIT, TRAINING PROGRAM SUBJECT SCHEDULE

Pursuant to the provision of §73.37 of 10 CFR part 73, each licensee who transports or delivers to a carrier for transport irradiated reactor fuel is required to assure that individuals used as shipment escorts have completed a training program. The subjects that are to be included in this training program are as follows:

Security Enroute

- Route planning and selection
- Vehicle operation
- Procedures at stops
- Detours and use of alternate routes

Communications

- Equipment operation
- Status reporting
- Contacts with law enforcement units
- Communications discipline

- Procedures for reporting incidents

Radiological Considerations

- Description of the radioactive cargo
- Function and characteristics of the shipping casks
- Radiation hazards
- Federal, State and local ordinances relative to the shipment of radioactive materials
- Responsible agencies

Response to Contingencies

- Accidents
- Severe weather conditions
- Vehicle breakdown
- Communications problems
- Radioactive “spills”
- Use of special equipment (flares, emergency lighting, etc.)

Response to Threats

- Reporting
- Calling for assistance
- Use of immobilization features
- Hostage situations
- Avoiding suspicious situations

The licensee is also required to assure that armed individuals serving as shipment escorts, other than members of local law enforcement agencies, have completed a weapons training and qualifications program equivalent to that required of guards, as described in III and IV of appendix B of this part, to assure that each such individual is fully qualified to use weapons assigned him.

[44 FR 34468, June 15, 1979, as amended at 45 FR 34710, June 3, 1980]

APPENDIX E TO PART 73—LEVELS OF PHYSICAL PROTECTION TO BE APPLIED IN INTERNATIONAL TRANSPORT OF NUCLEAR MATERIAL¹

(Verbatim from Annex I to the Convention on the Physical Protection of Nuclear Material)

(a) Levels of physical protection for nuclear material during storage incidental to international nuclear transport include:

¹See appendix C to part 110 of this chapter from the physical description of the categories of nuclear material as set forth in Annex I to the Convention. For the purposes of this part, the following categories of nuclear material are synonymous:

Category I is a formula quantity of strategic special nuclear material;

Category II is special nuclear material of moderate strategic significance or irradiated fuel; and

Category III is special nuclear material of low strategic significance.

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(1) For Category III materials, storage within an area to which access is controlled;

(2) For Category II materials, storage within an area under constant surveillance by guards or electronic devices, surrounded by a physical barrier with a limited number of points of entry under appropriate control or any area with an equivalent level of physical protection;

(3) For Category I material, storage within a protected area as defined for Category II, to which, in addition, access is restricted to persons whose trustworthiness has been determined, and which is under surveillance by guards who are in close communication with appropriate response forces. Specific measures taken in this context should have as their objective the detection and prevention of any assault, unauthorized access, or unauthorized removal of material.

(b) Levels of physical protection for nuclear material during international transport include:

(1) For Category II and III materials, transportation shall take place under special precautions including prior arrangements among sender, receiver, and carrier, and prior agreement between natural or legal persons subject to the jurisdiction and regulation of exporting and importing States, specifying time, place and procedures for transferring transport responsibility;

(2) For Category I materials, transportation shall take place under special precautions identified for transportation of Category II and III materials, and in addition, under constant surveillance by escorts and under conditions which assure close communication with appropriate response forces;

(3) For natural uranium other than in the form of ore or ore residue, transportation protection for quantities exceeding 500 kilograms U shall include advance notification of shipment specifying mode of transport, expected time of arrival and [shall provide for] confirmation of receipt of shipment.

[52 FR 9654, Mar. 26, 1987]

APPENDIX F TO PART 73—NATIONS THAT ARE PARTIES TO THE CONVENTION ON THE PHYSICAL PROTECTION OF NUCLEAR MATERIAL¹

Nation	Date of deposit of instrument of ratification with the IAEA
Brazil	Oct. 17, 1985.
Bulgaria	May 2, 1984.
Canada	Mar. 21, 1986.

¹An update list of party nations will appear annually in the Department of State's publication, *Treaties in Force*. Appendix F will be amended as required to maintain its currency.

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Nation	Date of deposit of instrument of ratification with the IAEA
Czechoslovakia	Apr. 23, 1982.
German Democratic Republic (E. Germany)	Feb. 5, 1981.
Guatemala	Apr. 23, 1985.
Hungary	May 4, 1984.
Indonesia	Nov. 5, 1986.
Korea, Republic of	Apr. 7, 1982.
Liechtenstein	Nov. 25, 1986.
Mongolia	May 28, 1986.
Norway	Aug. 15, 1985.
Paraguay	Feb. 6, 1985.
Philippines	Sept. 22, 1981.
Poland	Oct. 5, 1983.
Sweden	Aug. 1, 1980.
Switzerland	Jan. 9, 1987.
Turkey	Feb. 27, 1985.
Yugoslavia	May 14, 1986.
Union of Soviet Socialist Republic	May 25, 1983.
United States of America	Dec. 13, 1982.

[52 FR 9654, Mar. 26, 1987]

APPENDIX G TO PART 73—REPORTABLE SAFEGUARDS EVENTS

Pursuant to the provisions of 10 CFR 73.71 (b) and (c), licensees subject to the provisions of 10 CFR 73.20, 73.37, 73.50, 73.55, 73.60, and 73.67 shall report or record, as appropriate, the following safeguards events.

1. *Events to be reported within one hour of discovery, followed by a written report within 60 days.*

(a) Any event in which there is reason to believe that a person has committed or caused, or attempted to commit or cause, or has made a credible threat to commit or cause:

(1) A theft or unlawful diversion of special nuclear material; or

(2) Significant physical damage to a power reactor or any facility possessing SSNM or its equipment or carrier equipment transporting nuclear fuel or spent nuclear fuel, or to the nuclear fuel or spent nuclear fuel a facility or carrier possesses; or

(3) Interruption of normal operation of a licensed nuclear power reactor through the unauthorized use of or tampering with its machinery, components, or controls including the security system.

(b) An actual entry of an unauthorized person into a protected area, material access area, controlled access area, vital area, or transport.

(c) Any failure, degradation, or the discovered vulnerability in a safeguard system that could allow unauthorized or undetected access to a protected area, material access area, controlled access area, vital area, or transport for which compensatory measures have not been employed.

(d) The actual or attempted introduction of contraband into a protected area, material access area, vital area, or transport.